HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (C) No. 279 of 2007

Petitioners	1.	Riyaz Khan, S/o Shri Shammi Ulla Khan, Aged about 40 years, Ward Member of Gurunanak Ward, R/o Bhagat Singh Ward, Bhatapara, District- Raipur (C.G.)
	2.	Adarsh Kumar Jain, S/o Late Shri Premraj Jain, Aged about 40 years, R/o Gandhi Mandir Ward, Bhatapara, District Raipur (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh, Through- Secretary, Nagariya & Prasashan Vibhag Mantralaya, D.K.S. Bhawan, Raipur, Distt – Raipur (C.G.)
	2.	Joint Director, Department of Town and Country Planning District Office, Raipur (C.G.)
	3.	Nagar Palika Parishad Through : Chief Municipal Corporation Bhatapara District Raipur (C.G.)
	4.	Ravi Shankar Gautam S/o Late Shri H. S. Gautam, Aged about 45 years R/o Gandhi Mandir Ward Bhatapara Police Station Bhatapara, District- Raipur (C.G.)
	5.	Smt Samta Gautam W/o Ravi Shankar Gautam Aged about 42 years R/o Gandhi Mandir Ward Bhatapara Police Station Bhatapara District- Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE COSTITUTION OF INDIA

SB: Hon'ble Shri **Satish K. Agnihotri, J.**

Shri Y. C. Sharma, Advocate for the petitioners.

Shri Vivek Sharma, Panel Lawyer for the respondents No. 1 and 2.

Shri Sudhir Agarwal, Advocate for the respondent No. 3.

Shri Sanjay K. Agarwal, Advocate for the respondents No. 4 and 5.

ORAL ORDER

(Passed on this 26th day of November, 2007)

1. Learned counsel appearing for the respondent No.3/Nagar Palika Parishad, Bhatapara submits that the respondent No.3 has granted permission to the respondents No. 4 and 5 to raise construction on the

property in dispute bearing Plot No. 2336 admeasuring 6737 square feet, situated at Gandhi Mandir Ward (Village Hathani Patwari Halka No.6), Bhatapara, for residential purpose. He further submits that there is no permission to raise construction of the building for commercial purpose. In the event, the respondents No. 4 and 5 construct the building for commercial purpose, that will not be allowed to be done by the respondent No.3 without permission.

2. In view of the categorical statement made on behalf of the respondent No.3, nothing survives in this petition.
3. The petition stands disposed of finally. No order asto costs.
4. The interim order granted on 20.2.2007 stands discharged.

Sd/-
Satish K. Agnihotri
Judge

Thakur